IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.1485 OF 2004

Shrikant Jethalal Mehta ...Applicant

Vs.
Dhirendra Monji Tanna
& Ors. ...Respondents

Shri. Piyush Shah for the Applicant.
Shri Prakash Shetty for the Respondent Nos.1 to 8.
Shri. R. Y. Mirza, A.P.P. for the Respondent No.9.

CORAM : A.S.OKA, J.
DATED : JULY 22, 2005.

P.C.:

1. This Application is filed by the Applicant for transfer of twenty or more cases filed by the Respondent Nos. 1 to 8 under section 138 of the Negotiable Instruments Act pending in various courts in Bombay to the designated court. He submitted that G.B.C.B, C.I.D. has also registered the F.I.R. against the Applicant under section 420, 120-B of the Indian Penal Code read with section 3 and 4 of the M.P.I.D.Act. He submitted that the said offence is registered pertaining to various offences including the offences which are covered by the complaints filed by the Respondents. The Applicant, therefore, prays for transfer of the cases filed by the Respondents.

2. After having heard the counsel appearing for the parties, I find that no case is made out for tansfer. It appears that after F.I.R. was registered on 30th November, 1999 by the GBCB, CID, Economic Wing, various cheques were issued on behalf of the Applicant to the Respondent Nos.1 to 8 when the

Application for Anticipatory Bail filed by the Applicant was being considered by the court. It appears that said cheques have been dishonoured and the complaints have been filed under section 138 of the Negotiable Instruments Act, 1881. It is, thus, obvious that it cannot be said that the case pending in the designated court also covers the offences which are subject matter of the complaints filed. Hence, no case is made out for transfer. Accordingly, Application is rejected.

JUDGE